



PATENT

ATTORNEY DOCKET NO. 041501-5423

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Woo Hyuk CHOI

Application No.: 09/843,781

Filed: April 30, 2001

For: REPAIR STRUCTURE FOR LIQUID
CRYSTAL DISPLAY AND METHOD
OF REPAIRING THE SAME

Confirmation No.: 1083

Group Art Unit: 2871

Examiner: Z. Qi

Mail Stop Petitions

Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22314

Sir:

PETITION TO WITHDRAW ERRONEOUS NOTICE OF ABANDONMENT

A Notice of Abandonment was mailed on June 3, 2008. Applicants respectfully assert that the Notice of Abandonment is erroneous and should be withdrawn. Specifically, the Notice of Abandonment indicates that “[t]he decision by the Board of Patent Appeals and Interference[s] [was] rendered on 25 March 2008 and the period for seeking court review of the decision has expired and there are no allowed claims.” (Emphasis added.) However, Applicants respectfully assert that claims 1, 3-8, 17-19, 21-24, and 26 stand allowed. Specifically, the Examiner’s Answer mailed July 7, 2006 reversed the some of the rejections under appeal and allowed claims 1, 3-8, 17-19, 21-24, and 26. (See section 3 at page 2 of the Examiner’s Answer mailed July 7, 2006.) Moreover, the “Index of Claims” in the Image File Wrapper (IFW) with a date of July 7, 2007 lists claims 1, 3-8, 17-19, 21-24, and 26 as allowed. In telephone

discussions on June 5 and 6, 2008, with Examiner Qi, it was agreed that claims 1, 3-8, 17-19, 21-24, and 26 had been allowed.

Therefore, Applicants respectfully assert that the Notice of Abandonment is erroneous and should be withdrawn because there are allowed claims. Further, as set forth in MPEP 1214.06(II), when claims stand allowed, "[T]he appellant is not required to file a reply." Instead, as set forth in MPEP 1214.06(II), the Examiner should either: (A) issue an Examiner's Amendment to cancel the affirmed rejected claims; or (B) issue a communication requiring Applicants to conform the claims to the allowable subject matter.

In summary, Applicants respectfully assert that Applicants have taken all required actions in a timely manner. As such, Applicants respectfully assert that the Notice of Abandonment mailed June 3, 2008, is erroneous and should be withdrawn.

If any fees are due with this paper, such fees may be charged to Deposit Account No. 50-0310.

Respectfully submitted,

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Dated: June 13, 2008

By: 

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